

MILPERSMAN 1910-138

SEPARATION BY REASON OF MISCONDUCT - MINOR DISCIPLINARY INFRACTIONS

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References	(a) Uniform Code of Military Justice (UCMJ), 2008 (b) Manual for Courts-Martial (MCM)
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1. **Separation Authority (SA)**. Refer to MILPERSMAN 1910-704 to determine SA. When an administrative separation (ADSEP) board is held, refer to MILPERSMAN 1910-710 for guidance in determining SA.

2. **Policy**. Members may be processed for separation based upon a series of at least three, but not more than eight, minor violations (specifications) of reference (a), provided

a. none of the reasons could have resulted in a punitive discharge (reference (b), appendix 12 refers);

b. offenses are documented in the member's service record;

c. offenses have occurred during the current enlistment;

d. member was disciplined by one nonjudicial punishment (NJP); and

e. member has violated a NAVPERS 1070/613 (Rev. 07-06), Administrative Remarks counseling/warning (MILPERSMAN 1910-204).

3. **Exception to this Policy.** If the member is in Entry Level Status (ELS) as defined in MILPERSMAN 1910-010, and the reasons for processing are based solely on minor violations of reference (a) and do not meet eligibility of any other type of misconduct, the processing should then be under Entry Level Performance and Conduct (MILPERSMAN 1910-154).

4. **Procedures.** Notice of Notification Procedures (MILPERSMAN 1910-402) shall be used.

5. **Characterization of Separation.** The least favorable and accepted characterization is General (Under Honorable Conditions) (GEN), although Honorable (HON) may be assigned if appropriate.